

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

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IN RE LOESTRIN 24 FE)	MDL No. 13-2472-WES-PAS
ANTITRUST LITIGATION)	
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THIS DOCUMENT RELATES TO:)	No. 1:13-md-2472-WES-PAS
ALL ACTIONS)	
_____)	

ORDER

Before the Court is Defendants' Motion to Strike (1) End-Payor Plaintiffs' ("EPPs") Three New Rebuttal Experts, (2) Portions of the Rebuttal Expert Report of Gary L. French, and (3) Portions of End-Payor Plaintiffs' Reply in Support of the Motion for Class Certification (ECF No. 637). The EPPs have opposed the Motion (ECF No. 668).

The Court recognizes the tension between the seriousness of the issues presented in Defendants' Motion to Strike (and the grave ramifications to the EPPs if that Motion is granted in any part), and the need to provide answers due to the scheduling order in place. In the interest of striking a balance among these concerns, the Court orders the following:

1. The class certification hearing for the EPPs and the Direct Purchaser Plaintiffs ("DPPs"), currently scheduled for January 7, 9, and 10, 2019, will be rescheduled as to both DPPs and EPPs to February 11, 13, and 14, 2019.

2. Defendants and the EPPs shall keep January 7, 9, and 10, 2019, available. The Court may use one of these days to hold a hearing on Defendants' Motion to Strike. It may also circulate questions in advance of the argument to maximize the use of that hearing.
3. With respect to the Joint Proposed Scheduling Order, the EPPs and Defendants should continue working on rebuttal expert discovery and briefing, unless and until any further order of the Court to the contrary.
4. All other scheduling issues that may be impacted by the Court's ultimate rulings on the pending motions will be taken up in due course once the Court has ruled on the Motion to Strike.

IT IS SO ORDERED.



William E. Smith
Chief Judge
Date: December 20, 2018